

GENERAL ORDER No 62

ELECTRONIC FILING OF DOCUMENTS UNDER SEAL

Pending consideration of a revision to Civil Local Rule 79-5, **IT IS HEREBY ORDERED** that effective May 10, 2010, the following procedures shall apply to the filing of sealed documents in civil cases:

- 1) Motions to file documents under seal shall be made electronically.
- 2) In order to move to electronically file [e-file] an entire document under seal pursuant to Civil Local Rule 79-5(b), or a portion of a document under seal pursuant to Civil Local Rule 79-5(c), (1) e-file an Administrative Motion to File Under Seal, in conformance with Civil Local Rule 7-11, (2) e-file under seal and serve manually one or more Declarations (instructions on how to e-file under seal are available on the ECF website under FAQs), (3) e-file the Proposed Order (filed unsealed) and e-mail the Proposed Order to the Judge's proposed order e-mail address and (4) serve manually, but do not e-file, the documents to be filed under seal.
- 3) Lodge with the Clerk for delivery to the Judge's chambers a copy of the entire filing including the documents to be filed under seal, contained in an 8 ½- inch by 11- inch sealed envelope or other suitable sealed container, with a cover sheet affixed to the envelope or container, setting out the information required by Civil Local Rule 3-4(a) and (b) prominently displaying the notation: "DOCUMENT SUBMITTED UNDER SEAL AND CHAMBERS COPY" no later than noon on the business day following the day that the Administrative Motion is filed electronically.
- 4) If the Court orders that the motion to file under seal is denied in part or in full, neither the document nor any proposed redacted version may be e-filed under seal. If the motion is denied in full, the submitting party may retain the document and not make it part of the record in the case, or, within 4 days, e-file the document unsealed. If the motion is denied in part and granted in part, the party may within 4 days resubmit the document in a manner that conforms to the Court's order and this rule.
- 5) If a motion to file under seal is granted in part or full, the requesting party will e-file the document under seal according to the procedures outlined in the FAQs on the ECF website.
- 6) Unless otherwise ordered by the Court, any document filed under seal shall be kept from public inspection, including inspection by attorneys and parties to the action, during the pendency of the case. The chambers copy of sealed documents will

be disposed of in accordance with the assigned Judge's discretion. Ordinarily these copies will be recycled, not shredded, unless special arrangements are made.

7) Any document filed under seal in a civil case shall be open to public inspection without further action by the Court 10 years from the date the case is closed. However, a party that submitted documents that the Court placed under seal in a case may, upon showing good cause at the conclusion of the case, seek an order that would continue the seal until a specific date beyond the 10 years provided by this rule. Nothing in this rule is intended to affect the normal records destruction policy of the United States Courts.

ADOPTED: April 27, 2010

FOR THE COURT:

A handwritten signature in black ink, appearing to read "Vaughn R Walker", written over a horizontal line.

Vaughn R Walker  
United States District Chief Judge